

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WAYMAN PATTERSON, JR.,

Petitioner,

No. 06-CV-15672-DT

vs.

Hon. Gerald E. Rosen

GREGG McQUIGGIN,

Respondent.

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION AND
DISMISSING PLAINTIFF'S HABEAS CORPUS ACTION

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on July 17, 2008

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This matter having come before the Court on the March 24, 2008 Report and Recommendation of United States Magistrate Judge Paul J. Komives recommending that the Court deny Wayman Patterson, Jr.'s Petition for a Writ of Habeas Corpus and, accordingly, dismiss this action, with prejudice; and Petitioner having timely filed Objections to the Report and Recommendation;¹ and the Court having reviewed the Magistrate Judge's Report

¹ Petitioner filed a motion for enlargement of time within in which to file his objections [**Dkt. # 45**] but his objections, mailed from prison on April 8, 2008 and received by the Court on April 14, 2008 were timely filed under the "prison mailbox rule." *See Houston v. Lack*, 487 U.S. 266 (1988). Therefore, the motion for enlargement of time is MOOT.

and Recommendation, the Objections thereto, and the Court's file of this action and having concluded that, for the reasons stated in the Report and Recommendation, the petition for habeas corpus relief should be denied; and the Court being otherwise fully advised in the premises,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of March 24, 2008 [**Dkt. # 47**] be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Wayman Patterson, Jr.'s petition for habeas corpus relief be, and hereby is DENIED, and this case, accordingly, is DISMISSED, with prejudice.

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: July 17, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 17, 2008, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager